

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

**DERYL DION MORROW,**

**Plaintiff,**

**vs.**

**Case No. CIV 09-00395 JCH/RHS**

**SANTA FE BOYS & GIRLS  
CLUBS,**

**Defendant.**

**AFFIDAVIT OF APPLICATION FOR ATTORNEY'S FEES PURSUANT TO  
MEMORANDUM OPINION AND ORDER ENTERED JANUARY 15, 2010**

I, Carlos M. Quiñones, being duly sworn, and pursuant to the Court's Memorandum Opinion and Order entered January 15, 2010, state as follows:

1. I have been licensed to practice law in the state of New Mexico since 1995 and to appear before the United States District Court for the District of New Mexico since February 6, 1998.

2. I am attorney of record for Plaintiff Deryl Dion Morrow in the above-captioned matter and have represented Plaintiff since the outset of this litigation.

3. In its Memorandum Opinion and Order entered January 15, 2010, the Court granted Defendant's Motion to Set Aside Clerk's Entry of Default.

4. In that same Memorandum Opinion and Order, the Court ordered that no later than 30 days after entry of the Memorandum Opinion and Order, Plaintiff could file his motion or application for attorney's fees "incurred in filing the motion for default



judgment, the praecipe, and his response to the motion to set aside the default." (Mem. Op. and Order at p. 4).

5. I declare under penalty of perjury that the foregoing attorney's fees and associated tasks contained in the Application for Attorney's Fees (being filed contemporaneously with this Affidavit) are correctly stated, were necessarily incurred in this action and the services for which fees have been charged were actually and necessarily performed on the tasks identified by the Court in its Memorandum Opinion and Order.

6. I am a New Mexico Board of Legal Specialization Certified Specialist in the area of employment and labor law.

7. I served as the Chair of the New Mexico State Bar Employment and Labor Law Section in 2006.

8. I have presented at various conferences and seminars on employment law, and have published several articles in legal journals and newsletters on employment law issues.

(See, e.g., New Mexico State Bar Employment and Labor Law Section Newsletter article: <http://www.nmbar.org/AboutSBNM/sections/EmploymentLaborLaw/Enewsletters/CommonLanguagePoliciesarticle.pdf>).

9. Following graduation from the University of New Mexico School of Law, I served as a law clerk to a United States Magistrate Judge for the United States District Court, District of New Mexico from 1995-1998.

10. I have tried employment law cases before juries in federal courts in St. Louis, Denver, Philadelphia and Little Rock, as well as in New Mexico.

11. I am admitted to practice in New Mexico state and federal courts, the United States District Court in Colorado (since May 2000), and before the Tenth Circuit Court of Appeals (since January 2001).

12. My customary hourly fee for plaintiff's employment cases is \$250.00 per hour. This is a fair reflection of my experience, reputation and ability in employment law cases.

13. A court may rely on its own knowledge of the market rate in the community. *See Norman v. Housing Authority*, 836 F.2d 1292, 1303 (11<sup>th</sup> Cir. 1988).

14. I hereby certify that I filed the foregoing electronically, along with the Application for Attorney's Fees, through the CM/ECF system on February 13, 2010, which caused the following counsel to be served by electronic means:

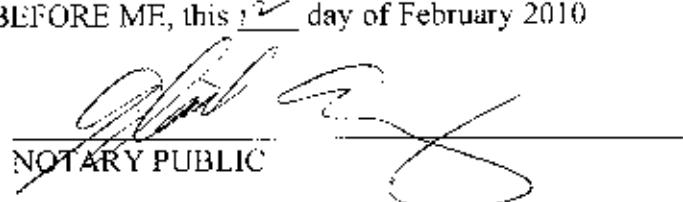
Lisa Entrress Pullen, Esq.  
Civerolo, Gralow, Hill & Curtis, P.A.  
P.O. Drawer 887  
Albuquerque, NM 87103-0887  
*Attorneys for Defendant*

FURTHER AFFIANT SAYETH NOT.



CARLOS M. QUIÑONES

SUBSCRIBED AND SWORN TO BEFORE ME, this 12 day of February 2010  
by Carlos M. Quiñones.



NOTARY PUBLIC

My commission expires:

12/16/2013

